


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER NTP 05-1-1
INTERNATIONAL APPLICATION NO. PCT/CN2003/000648		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/523,953
INTERNATIONAL FILING DATE August 8, 2003		PRIORITY DATE CLAIMED August 9, 2002
TITLE OF INVENTION    METHOD FOR COMPARING GENE EXPRESSION LEVEL		
APPLICANT(S) FOR DO/EO/US    Guohua Zhou		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))               <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A copy of the preliminary amendment previously filed on September 29, 2005.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: a copy of the Request for Correction to Spelling Error previously filed on September 29, 2005.</li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>U.S. APPLICATION NO.</b> (if known, see 37 CFR 1.5) 10/523,953		<b>INTERNATIONAL APPLICATION NO.</b> PCT/CN2003/000648		<b>ATTORNEY'S DOCKET NUMBER</b> NTP 05-1-1	
The following fees have been submitted				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21.	<input type="checkbox"/>	Basic national fee .....	\$300.00	\$0.00	
22.	<input type="checkbox"/>	Examination fee			
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....				\$100.00	
All other situations .....				\$200.00	
23.	<input type="checkbox"/>	Search fee			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....				\$100.00	
International Search Report prepared and provided to the Office .....				\$400.00	
All other situations .....				\$500.00	
<b>TOTAL OF 21, 22 and 23 =</b>				\$0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
32	-100 =	0 /50 =	0 x \$250.00	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (h)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	0 - 20 =	0	X \$50.00	\$0.00	
Independent claims	0 - 3 =	0	X \$200.00	\$0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$0.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00	
<b>SUBTOTAL =</b>				\$0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$0.00	
<b>TOTAL NATIONAL FEE =</b>				\$0.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$0.00	
<b>TOTAL FEES ENCLOSED =</b>				\$0.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-4882. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</b></p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <p><b>Customer No. 23531</b>          Suiter • West PC LLO          14301 FNB Parkway          Suite 220          Omaha, NE 68154-5299          402.496.0300 Telephone          402.496.0333 Facsimile</p>					
				 SIGNATURE	
				Sean Patrick Suiter NAME	
				34,260 REGISTRATION NUMBER	

PATENT

ATTORNEY DOCKET N°: NTP 05-1-1  
EXPRESS MAIL LABEL N°: EV 764 985 165 US

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

MS PCT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Transmitted herewith for filing is the United States patent application of:

International Application No.: PCT/CN2003/000648  
International Filing Date: August 8, 2003  
Priority Date: August 9, 2002  
Published Application No.: WO 2004/015137  
Inventor: Guohua Zhou

Title: **METHOD FOR COMPARING GENE EXPRESSION LEVEL**

---

**CERTIFICATION UNDER 37 C.F.R. §1.10**

I hereby certify that this Transmittal Letter to the United States Designated/Elected Office Concerning a Submission Under 35 U.S.C. 371 and related documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, June 16, 2006, in an envelope as "Express Mail Post Office to Addressee", Mailing Label N° EV 764 985 165 US, with sufficient postage, addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Penny L. Bartholomew

Dated: June 16, 2006

Applicant hereby responds to the Notification of Defective Response Dated May 18, 2006 as follows:

1. *A Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371.*

2. A copy of the *Preliminary Amendment* previously filed on September 29, 2005, which contains a statement on page 3 that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing and includes no new matter.

3. A substitute computer readable form copy of the "Sequence Listing".

Applicant hereby states that the submission, filed in accordance with 37 CFR 1.821(g), herein does not include new matter.

Applicant hereby states that the information recorded in computer readable form is identical to the written (on paper) sequence listing.

4. A copy of the *Request for Correction to Spelling Error* previously filed on September 29, 2005, which provides the correct spelling for the Applicant's name.

5. A copy of the *Notification of Defective Response Dated May 18, 2006*.

Please address all correspondence to:

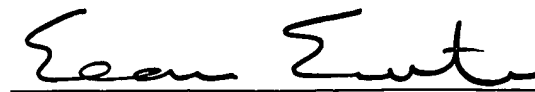
**CUSTOMER NO. 23531**  
Sean Patrick Suiter  
SUITER • WEST • SWANTZ PC LLO  
14301 FNB Parkway, Suite 220  
Omaha, NE 68154-5299  
(402) 496-0300 (Telephone)  
(402) 496-0333 (Telecopier)

DATED: June 16, 2006

Respectfully Submitted,

Guohua Zhou,

By



Sean Patrick Suiter  
Reg. No 34,260



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1430  
 Alexandria, Virginia 22313-1430  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,953	Guohua Zhor	NTP 05-1-1

23531  
 SUITER WEST SWANTZ PC LLO  
 14301 FNB PARKWAY  
 SUITE 220  
 OMAHA, NE 68154

INTERNATIONAL APPLICATION NO.

PCT/CN03/00648

I.A. FILING DATE	PRIORITY DATE
08/08/2003	08/09/2002

CONFIRMATION NO. 9413

371 FORMALITIES LETTER



\*OC000000018809621\*

Date Mailed: 05/18/2006

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 02/08/2005
- English Translation of the IA filed on 09/29/2005
- Copy of the International Search Report filed on 02/08/2005
- Preliminary Amendments filed on 09/29/2005
- Information Disclosure Statements filed on 02/08/2005
- Biochemical Sequence Diskette filed on 09/29/2005
- Oath or Declaration filed on 02/08/2005
- Biochemical Sequence Listing filed on 09/29/2005
- Request for Immediate Examination filed on 02/08/2005
- U.S. Basic National Fees filed on 02/08/2005
- Assignment filed on 02/08/2005
- Priority Documents filed on 02/08/2005
- Power of Attorney filed on 02/08/2005

Applicant's response filed 09/29/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 08/26/2005 have not been completed.

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content

of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,953	PCT/CN03/00648	NTP 05-1-1

**STIC Biotechnology Systems Branch**

**RAW SEQUENCE LISTING  
ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number:

Source:

Date Processed by STIC:

10/523,953  
PCT  
1-24-06

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 4.4.0 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/efb/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):  
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/10/06



## RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/523,953

DATE: 01/24/2006  
TIME: 10:05:27Input Set : A:\NTP 05-1-1 (SEQUENCE LISTING).txt  
Output Set: N:\CRF4\01052006\J523953.raw

C--> 9 <140> CURRENT APPLICATION NUMBER: US/10/523,953  
 C--> 9 <141> CURRENT FILING DATE: 2005-02-08  
 E--> 0 <110> APPLICANT:  
 E--> 0 <120> TITLE INVENTION:  
 W--> 0 <130> FILE REFERENCE:  
 E--> 9 <160> NUMBER OF SEQ ID NOS: 3

*Handwritten: K PLS insert delete*

## ERRORED SEQUENCES

E--> 11 <210> SEQ ID NO: ~~SEQ ID NO 1~~  
 12 <211> LENGTH: ~~LENGTH 36~~  
 E--> 13 <212> TYPE: ~~TYPE DNA~~  
 C--> 14 <213> ORGANISM: ~~ORGANISM Artificial Sequence~~  
 W--> 15 <220> FEATURE: ~~FEATURE~~  
 16 <223> OTHER INFORMATION: ~~OTHER INFORMATION: Chemically synthesized~~  
 E--> 18 <400> SEQUENCE: ~~SEQUENCE: 1~~  
 E--> 20 cccacttct tgttctctca tcagcgcat cactcg  
 E--> 23 <210> SEQ ID NO: ~~SEQ ID NO 2~~  
 24 <211> LENGTH: ~~LENGTH 36~~  
 E--> 25 <212> TYPE: ~~TYPE DNA~~  
 C--> 26 <213> ORGANISM: ~~ORGANISM Artificial Sequence~~  
 W--> 27 <220> FEATURE: ~~FEATURE~~  
 28 <223> OTHER INFORMATION: ~~OTHER INFORMATION: Chemically synthesized~~  
 E--> 30 <400> SEQUENCE: ~~SEQUENCE: 2~~  
 E--> 32 cacctctcat ttctccctgt tcagcgcat cactcg  
 E--> 35 <210> SEQ ID NO: ~~SEQ ID NO 3~~  
 36 <211> LENGTH: ~~LENGTH 20~~  
 E--> 37 <212> TYPE: ~~TYPE DNA~~  
 C--> 38 <213> ORGANISM: ~~ORGANISM Artificial Sequence~~  
 W--> 39 <220> FEATURE: ~~FEATURE~~  
 40 <223> OTHER INFORMATION: ~~OTHER INFORMATION: Chemically synthesized~~  
 E--> 42 <400> SEQUENCE: ~~SEQUENCE: 3~~  
 E--> 44 gatccgagtg atgcgctaag

*Handwritten: delete (multiple times)*

Does Not Comply  
Corrected Diskette Needed

(Pg. 1)

36

36

20

*Handwritten: PLS do not insert alpha numeric headings.*



RAW SEQUENCE LISTING ERROR SUMMARY  
PATENT APPLICATION: US/10/523,953

DATE: 01/24/2006  
TIME: 10:05:28

Input Set : A:\NTP 05-1-1 (SEQUENCE LISTING).txt  
Output Set: N:\CRF4\01052006\J523953.raw

PatentIn 2.0 "bug":

Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other means to copy file to floppy disk.

## VERIFICATION SUMMARY

PATENT APPLICATION: US/10/523,953

DATE: 01/24/2006

TIME: 10:05:28

Input Set : A:\NTP 05-1-1 (SEQUENCE LISTING).txt

Output Set: N:\CRF4\01052006\J523953.raw

L:9 M:270 C: Current Application Number differs, Replaced Current Application No  
L:9 M:271 C: Current Filing Date differs, Replaced Current Filing Date  
L:0 M:282 E: Numeric Field Identifier Missing, <110> APPLICANT NAME  
L:0 M:282 E: Numeric Field Identifier Missing, <120> TITLE INVENTION  
L:0 M:201 W: Mandatory field data missing, <130> FILE REFERENCE  
L:9 M:212 E: (34) Invalid or duplicate Sequence ID Number, Number Of Sequences Unknown  
L:11 M:212 E: (34) Invalid or duplicate Sequence ID Number, SEQ ID NO  
L:13 M:310 E: (3) Wrong or Missing Sequence Type, numeric identifier <212>, for SEQ ID#:0  
L:14 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:0  
L:15 M:283 W: Missing Blank Line separator, <220> field identifier  
L:15 M:256 W: Invalid Numeric Header Field, <220> has non-blank data  
L:18 M:212 E: (34) Invalid or duplicate Sequence ID Number, SEQ ID NO  
L:20 M:252 E: No. of Seq. differs, <211> LENGTH:Input:0 Found:36 SEQ:0  
L:23 M:212 E: (34) Invalid or duplicate Sequence ID Number, SEQ ID NO  
L:25 M:310 E: (3) Wrong or Missing Sequence Type, numeric identifier <212>, for SEQ ID#:0  
L:26 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:0  
L:27 M:283 W: Missing Blank Line separator, <220> field identifier  
L:27 M:256 W: Invalid Numeric Header Field, <220> has non-blank data  
L:30 M:212 E: (34) Invalid or duplicate Sequence ID Number, SEQ ID NO  
L:32 M:252 E: No. of Seq. differs, <211> LENGTH:Input:0 Found:36 SEQ:0  
L:35 M:212 E: (34) Invalid or duplicate Sequence ID Number, SEQ ID NO  
L:37 M:310 E: (3) Wrong or Missing Sequence Type, numeric identifier <212>, for SEQ ID#:0  
L:38 M:220 C: Keyword misspelled or invalid format, <213> ORGANISM for SEQ ID#:0  
L:39 M:283 W: Missing Blank Line separator, <220> field identifier  
L:39 M:256 W: Invalid Numeric Header Field, <220> has non-blank data  
L:42 M:212 E: (34) Invalid or duplicate Sequence ID Number, SEQ ID NO  
L:44 M:252 E: No. of Seq. differs, <211> LENGTH:Input:0 Found:20 SEQ:0  
L:9 M:203 E: No. of Seq. differs, <160> Number Of Sequences:Input (0) Counted (3)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : ZHOU, GUOHUA  
U.S. Appl. No. : 10/523,953  
International Appl. No. : PCT/CN03/00648  
I.A. Filing Date : August 8, 2003  
Priority Date : August 9, 2002  
Title : METHOD FOR COMPARING GENE  
EXPRESSION LEVEL  
Attorney Docket No. : NTP 05-1-1


Mail Stop PCT  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COPY

PRELIMINARY AMENDMENT

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this Preliminary Amendment and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date, September 29, 2005 in an envelope as "Express Mail Post Office to Addressee", Mailing Label No. EV 793 379 786 US addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Penny L. Flint

Date: September 29, 2005

Sir:

Please amend the above-identified application as follows:

**Amendment to the Specification** begins on page 2 of this paper.

**Remarks/Arguments** begin on page 3 of this paper.

An **Appendix** including the SEQUENCE LISTING is attached following page 3 of this paper.

COPY

COPY

**Amendment to the Specification:**

Please insert the attached SEQUENCE LISTING at the end of the application.

Attachment: SEQUENCE LISTING

COPY

COPY

COPY

**Remarks/Arguments**

**Sequence Listing**

A paper copy and a computer readable form (CRF) copy of the "Sequence Listing" have been attached to this Preliminary Amendment. Entry of the "Sequence Listing" is respectfully requested.

Applicant hereby states that the submission, filed in accordance with 37 CFR 1.821(g), herein does not include new matter.

Applicant hereby states that the information recorded in computer readable form is identical to the written (on paper) sequence listing.

**CONCLUSION**

In light of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in the case.

Respectfully submitted on behalf of  
ZHOU, GUOHUA,

Dated: September 29, 2005

By: \_\_\_\_\_

Peng Zhu  
Reg. No. 48,063

SUITER • WEST PC LLO  
14301 FNB Parkway, Suite 220  
Omaha, NE 68154  
(402) 496-0300      telephone  
(402) 496-0333      facsimile

COPY

Attachment

SEQUENCE LISTING

COPY

<160> NUMBER OF SEQ ID NOS: 3

<210> SEQ ID NO 1

<211> LENGTH: 36

<212> TYPE: DNA

<213> ORGANISM: Artificial Sequence

<220> FEATURE:

<223> OTHER INFORMATION: Chemically synthesized

<400> SEQUENCE: 1

ccccacttct tgttctctca tcaggcgcat cactcg

36

<210> SEQ ID NO 2

<211> LENGTH: 36

<212> TYPE: DNA

<213> ORGANISM: Artificial Sequence

<220> FEATURE:

<223> OTHER INFORMATION: Chemically synthesized

<400> SEQUENCE: 2

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36

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## SEQUENCE LISTING

<140> US/10/523,953

<141> 2005-02-08

<110> Guohua Zhou

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<213> Artificial Sequence

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of : Guohua Zhou  
U.S. Appl. No. : 10/523,953  
International Appl. No. : PCT/CN03/00648  
I.A. Filing Date : August 8, 2003  
Priority Date : August 9, 2002  
Confirmation No. : 9413  
Title : METHOD FOR COMPARING GENE EXPRESSION  
LEVEL

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MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CORRECTION TO SPELLING ERROR

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CERTIFICATE OF MAILING 37 C.F.R. § 1.10

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Penny L. Flint  
Penny L. Flint

DATED: September 29, 2005

1. There is an error with respect to the following data, which is incorrectly entered:

INCORRECT DATA

First Named Applicant: Guohua Zhor

CORRECT DATA

First Named Applicant: Guohua Zhou

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Please address all correspondence to:

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Sean Patrick Suiter

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14301 FNB Parkway, Suite 220

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DATED: September 29, 2005.

Respectfully submitted,

Guohua Zhou,

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By

Peng Zhu

Reg. N° 48,063

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